



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Madhavan Pisharodi

Serial No.: 09/290,831

Filed: April 13, 1999

Titled: **ROTATING, LOCKING
INTERVERTEBRAL DISK
STABILIZER AND
APPLICATOR**

Atty Docket No.: PISA,007/C/CON

Group Art Unit: 3738

Examiner: P. Prebilic

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Amend B (N.E.)
Buyer
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COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231

Mark R. Wisner, Registration No. 30,603

April 16, 2001
Date

AMENDMENT AFTER FINAL (37 C.F.R. 1.116)

Dear Sir:

Applicant responds to the final Action of January 17, 2001 in the captioned application in timely fashion as follows. In the event the certificate of mailing was either inadvertently not executed or improperly executed, any necessary fees were not included with this Response and/or were insufficient in amount, or for any other reason this Response is not considered timely filed, request is hereby made for an extension of the time to respond and the Commissioner is authorized to charge Deposit Account No. 50-0965 (PISA,007/C/CON) in the amount of any necessary fee

✓
IN THE SPECIFICATION

Page 7, line 4, change "co-pending application Serial No. 08/475,211" to --U.S. Patent No. 5,658,336--.

REMARKS

In the final Action mailed January 17, 2001, the specification was objected to because of the reference to one of Applicant's parent applications on page 7 and claims 1-4, 6, and 8-9 were rejected under obviousness-type double patenting grounds over Applicant's prior Patent Nos. 5,893,890 and 5,658,336. Applicant now responds to that final Action by making the amendments and filing the Terminal Disclaimer needed to place the application in condition for

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